



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/303,057	04/30/1999	KATHERINE GRACE AUGUST	3376/34	7835

7590

12/05/2001

BROWN RAYSMAN MILLSTEIN FELDER & STEINER, LLP
900 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/303,057

Applicant(s)

AUGUST ET AL.

Examiner

Michael N. Opsasnick

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/31/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2645

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Blackmer et al (5393236).

As per claims 1,15, and 23, Blackmer et al (5393236) teaches a computer allowing a user to set a pronunciation of a string of characters (Fig. 1 subblock 19) comprising:

“allowing the user to select one or more characters in the string, and retrieving from a database accessible by the computer a plurality of samples.....retrieved samples” as the user selecting string and retrieving the pronunciation (col. 19 lines 1-34);

“allowing the user.....samples, storing a first pronunciation record comprising.....selected by the user” as use storing the user’s pronunciator (col. 19 line 50 - col. 20 line 10)

As per claims 2 and 16, Blackmer et al (5393236) teaches comprising:

Art Unit: 2645

“generating a pronunciation.....outputting the generated pronunciation” as audible output of the pronunciation (col. 19 lines 40-45)

As per claims 3 and 17, Blackmer et al (5393236) teaches allowing the user to select another of the displayed samples after audibly outputting the generated pronunciation as selecting the displayed pronunciation (col. 19 lines 40-45)

As per claims 4 and 18, Blackmer et al (5393236) teaches “allowing the user to select a second of the displayed samples.....selected by the user” as user selecting a second record (col. 19 lines 40-45)

As per claims 5 and 19, Blackmer et al (5393236) teaches “during a text to speech process.....pronunciation records” as choosing playing the pronunciation record (col. 19 lines 28-39)

As per claims 6-8, and 20-22, Blackmer et al (5393236) teaches “associating the first and second pronunciation files with first and second objects,.....recognizing a pronunciation of the string of characters by a user.....associating the first and second pronunciation files with first and second objects.....pronunciation record” as samples stack, personal stack, and comparing both (col. 9 lines 36 - col. 10 line 45)

As per claim 9, Blackmer et al (5393236) teaches allowing the user to identify a part of the character string as a separate syllable.....the identified syllable as storing 2 separate syllables (col. 22 lines 20-25)

Art Unit: 2645

As per claim 10, Blackmer et al (5393236) teaches identifying strings by accents (col. 22 lines 18-31)

As per claim 11, Blackmer et al (5393236) teaches input character string (fig. 10c)

As per claim 12, Blackmer et al (5393236) teaches the user to select the character string (fig. 10c)

As per claim 13, Blackmer et al (5393236) teaches allowing the user to selected a preferred language (Fig. 8)

As per claim 14, Blackmer et al (5393236) teaches selecting a second language (as choosing from multiple languages, Fig. 9)

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Please see prior art listed on PTO-892 form.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

○

Art Unit: 2645

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Fan Tsang, can be reached at (703)305-4895. The facsimile phone number for this group is (703)308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

November 26, 2001

mno

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

